

**STATE OF NEW MEXICO  
BEFORE THE SECRETARY OF THE ENVIRONMENT**

<b>IN THE MATTER OF THE APPLICATION OF BULLDOG COMPRESSOR STATION (XTO ENERGY) FOR AN AIR QUALITY PERMIT, NO. 8153-M1</b>	<b>AQB 21-31</b>
<b>JAYHAWK COMPRESSOR STATION (XTO ENERGY) FOR AN AIR QUALITY PERMIT, NO. 8152-M1</b>	<b>AQB 21-32</b>
<b>LONGHORN COMPRESSOR STATION (XTO ENERGY) FOR AN AIR QUALITY PERMIT, NO. 8349-M2</b>	<b>AQB 21-33</b>
<b>COWBOY CDP (XTO ENERGY) FOR AN AIR QUALITY PERMIT, NO. 7877-M1</b>	<b>AQB 21-34</b>
<b>WILDCAT COMPRESSOR STATION (XTO ENERGY) FOR AN AIR QUALITY PERMIT, NO. 7474-M2</b>	<b>AQB 21-35</b>
<b>ZIA HILLS CENTRAL FACILITY (CONOCOPHILLIPS) FOR AN AIR QUALITY PERMIT, NO. 7746-M8</b>	<b>AQB 21-36</b>
<b>WILLOW LAKE GAS PLANT (CRESTWOOD, NEW MEXICO) FOR AN AIR QUALITY PERMIT, NO. 5142-M8</b>	<b>AQB 21-38</b>
<b>MAVERICK COMPRESSOR STATION (XTO) FOR AN AIR QUALITY PERMIT, NO. 7565-M2</b>	<b>AQB 21-39</b>
<b>SPARTAN COMPRESSOR STATION (XTO) FOR AN AIR QUALITY PERMIT, NO. 7681-M2</b>	<b>AQB 21-40</b>
<b>TIGER COMPRESSOR STATION (XTO) FOR AN AIR QUALITY PERMIT, NO. 7623-M2</b>	<b>AQB 21-41</b>

**APPLICANT CONOCOPHILLIPS COMPANY’S ERRATA TO CLOSING ARGUMENT  
AND PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Applicant ConocoPhillips Company (“COPC”) files this Errata to its Closing Argument and Proposed Findings of Fact and Conclusions of Law that was filed in this matter on December 1, 2021. This Errata is being filed and served to provide notification of minor clerical errors in the Closing Argument and Proposed Findings of Fact and Conclusions of Law. Specifically, each reference to “WEG Ex. 1” should instead refer to “WEG Amended Ex. 1.”

The corrections are identified below in red.

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- Mr. Nichols claimed that 1) it is unclear how gas vented during SSM and MF events will be accurately measured to ensure compliance with their respective annual VOC emission limits and 2) the Draft Permit authorizes pound per hour limits for FL1 and FL2/FL3 that would allow the Zia Hills Facility to exceed its annual limits. *See* WEG **Amended** Ex. 1 at 97.

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- WEG began its challenge to Condition A107 by arguing that the condition is unenforceable unless it contains a greater degree of detail concerning the specific methodology used to measure vented gas. WEG **Amended** Ex. 1 at 97.

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- WEG asserts that “for the ‘FL1’ and ‘FL2/FL3’ units, the proposed permit authorizes pounds per hour and tons per year emissions of NO<sub>x</sub>, CO, and VOC without any restriction on the frequency or duration of flaring during SSM. With no restriction on the frequency or duration of flaring during SSM, the annual emission rates are unenforceable as a practical matter.” *See* WEG **Amended** Ex. 1 at 97.

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- WEG asserts that alleged noncompliance with Environmental Justice Executive Order 2005-056 demands that the Draft Permit be denied. *See* WEG **Amended** Ex. 1 at 98.

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- WEG’s written testimony asserted that the Draft Permit should be denied because NMED has not provided information regarding its environmental justice analysis. *See* WEG **Amended** Ex. 1 at 98.

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- As WEG itself notes in Mr. Nichols’s written testimony, the Executive Order requires NMED to “utilize available environmental and public health data to address impacts in

low-income communities and communities of color as well as in determining siting, permitting, compliance, enforcement, and remediation of existing and proposed industrial and commercial facilities.” *See* WEG **Amended** Ex. 1 at 17-18.

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- WEG then raised the same issues in Mr. Nichols’s written testimony filed on October 12, 2021. *See* WEG **Amended** Ex. 1 at 94-95.

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- WEG took issue with NMED’s compliance with Environmental Justice Executive Order 2005-056 in issuing the Draft Permit. *See* WEG **Amended** Ex. 1 at 98.
- Executive Order 2005-056 directs NMED to utilize available environmental and public health data to address impacts in low-income communities and communities of color as well as in determining siting, permitting, compliance, enforcement, and remediation of existing and proposed industrial and commercial facilities. *See* WEG **Amended** Ex. 1 at 18.
- WEG asserted that absent information concerning NMED’s review, a determination granting the proposed permit would violate Executive Order 2005-056. *See* WEG **Amended** Ex. 1 at 98.

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- WEG took issue with the enforceability of the emissions limits in Condition A107. *See* WEG **Amended** Ex. 1 at 96-97.
- WEG asserted that it is unclear how gas vented during SSM and MF events will be accurately measured to ensure compliance with their respective annual VOC emission limits. *See* WEG **Amended** Ex. 1 at 96-97.

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- WEG asserted that the Draft Permit authorizes pound per hour limits for FL1 and FL2/FL3 that would allow the Zia Hills Facility to exceed its annual limits. *See* WEG **Amended** Ex. 1 at 97.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2021, a true and correct copy of the foregoing *Errata* was served via electronic mail to the following:

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